NEVADA DEPARTMENT OF CONSERVATION & NATURAL RESOURCES

STATE ENVIRONMENTAL COMMISSION

HEARING ARCHIVES FOR

REGULATORY PETITIONS

COMMISSION PETITION NO. 2002-10

LEGISLATIVE COUNSEL BUREAU (LCB) FILE NO. R099-02 (Correction)

DOCUMENTS INCLUDED IN THIS FILE:

No **SECRETARY OF STATE FILING FORM**

No **DISCLOSURE STATEMENT PURSUANT TO NRS 233B**

REGULATORY PETITIONS

ORIGINAL DRAFTED BY COMMISSION

ADOPTED BY COMMISSION

YES **AS FILED AND/OR CODIFIED BY LCB**

Note: The Legislative Counsel Bureau on January 7, 2003 corrected petition R099-02 as filed on December 17, 2002 by substituting pages 1, 2 and 211 through 214, which replaces pages 1, 2 and 211 through 214 of the above regulation. The action dealt with the repeal of NAC 445A.119.

ADOPTED REGULATION OF THE

STATE ENVIRONMENTAL COMMISSION

LCB File No. R099-02 (SEC Petition 2002-10)

Effective December 17, 2002

EXPLANATION – Matter in ***italics*** is new; matter in brackets **[**~~omitted material~~**]** is material to be omitted.

AUTHORITY: §§1-63, NRS 445A.425 and 445A.520.

Section 1. Chapter 445A of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. ***"E. Coli" means escherichia coli.***

Sec. 3. ***1. The acute criteria of water quality with regard to the concentration of total ammonia are subject to the following:***

(a) The 1-hour average concentration of total ammonia, in milligrams of nitrogen per liter, for the protection of freshwater aquatic life is shown in Table 1.

(b) For cold water fisheries, the concentration of total ammonia, in milligrams of nitrogen per liter, must not exceed the applicable acute criterion listed under "Cold Water Fisheries" set forth in Table 1, more than once every 3 years on average.

(c) For warm water fisheries, the concentration of total ammonia, in milligrams of nitrogen per liter, must not exceed the applicable acute criterion listed under "Warm Water Fisheries" set forth in Table 1, more than once every 3 years on average.

2. The chronic criteria of water quality with regard to the concentration of total ammonia are subject to the following:

(a) The 30-day average concentration of total ammonia, in milligrams of nitrogen per liter, for the protection of freshwater aquatic life is shown in Tables 2 and 3.

(b) The concentration of total ammonia, in milligrams of nitrogen per liter, expressed as a 30-day average must not exceed the applicable chronic criterion listed in Tables 2 and 3 more than once every 3 years on average, and the highest 4-day average within the 30-day period must not exceed 2.5 times the applicable chronic criterion.

(c) Table 3 must not be used unless the division receives acceptable documentation of the absence of freshwater fish in early life stages.

TABLE 1: ACUTE WATER QUALITY CRITERIA FOR TOTAL AMMONIA FOR FRESHWATER AQUATIC LIFE (mg nitrogen/l)		
pH	***Cold Water Fisheries[1]***	***Warm Water Fisheries[2]***
6.5	***32.6***	***48.8***
6.6	***31.3***	***46.8***
6.7	***29.8***	***44.6***
6.8	***28.1***	***42.0***
6.9	***26.2***	***39.1***
7.0	***24.1***	***36.1***
7.1	***22.0***	***32.8***
7.2	***19.7***	***29.5***
7.3	***17.5***	***26.2***
7.4	***15.4***	***23.0***
7.5	***13.3***	***19.9***
7.6	***11.4***	***17.0***
7.7	***9.65***	***14.4***
7.8	***8.11***	***12.1***
7.9	***6.77***	***10.1***

Sec. 63. NAC 445A.119 is hereby repealed

TEXT OF REPEALED SECTION

Sec. 4. NAC 445A.119 is hereby amended to read as follows:

NAC 445A.119 Criteria for water quality for designated beneficial uses. The water quality criteria for designated beneficial uses for the various waters of the state are in the following table. The criteria are water quality characteristics based upon available scientific and technical information and are to be used as guidelines in establishing water quality standards.

WATER QUALITY CRITERIA FOR

DESIGNATED BENEFICIAL USES[2]

Beneficial Uses		Agricultural Use		Aquatic Life Cold Water		Aquatic Life Warm Water						
Parameter		Irrigation	Watering of Livestock	Propa-gation	Put & Take	Propa-gation	Put & Take	Water Contact Recreation	Non-Contact Recreation	Municipal or Domestic Supply	Industrial Supply Supply	Propagation of Wildlife
Temperature °C		x	x	<--------- Site Specific Determination [a,b] --------->				15-34 [a]	x	x	x	x
pH Units Single Value		4.5-9.0 [a,b]	5.0-9.0 [b]	6.5-9.0 [b]	6.5-9.0 [b]	6.5-9.0 [b]	6.5-9.0 [b]	6.5-8.3 [a]	x	5.0-9.0	3.0-11.7 [b]	7.0-9.2 [a]
Dissolved Oxygen Single Value-mg/l	>	x	Aerobic [b]	5.0 [b]	5.0 [b]	5.0 [b]	5.0 [b]	Aerobic [b]	Aerobic [b]	Aerobic [b]	x	Aerobic [b]
Chlorides Single Value-mg/l	<	y [a]	1500 [f]	x	x	x	x	x	x	250/400 [c]	--	1500 [f]
Total Phosphates as P Single Value-mg/l		x	x	<---------- Site Specific Determination [b,e] ---------->							x	x
Nitrates as N Single Value-mg/l	<	x	100 [a]	y [b]	x	90 [b]	90 [b]	x	x	10 [b,c]	x	100 [a]
Nitrites as N Single Value-mg/l	<	x	10 [a]	0.06 [b]	x	x	x	x	x	1.0 [a,b]	x	10 [a]
Total Nitrogen as N												

Single Value-mg/l		x	x	<---------- Site Specific Determination [b,e] ---------->				x	x	x	x	x
Un-ionized Ammonia as NH_3 Single Value-mg/l	<	x	x	0.02 [b,e]	<---Site Specific Determination--->			x	x	0.5 (Total NH_3-N) [b]	x	x
Total Dissolved Solids Single Value-mg/l	<	x	3000 [a]	x	x	x	x	x	x	500/1000 [c]	x	x
Color (PT-CO), Single Value	<	x	x	x	x	x	x	x	x	75 [b]	x	x
Turbidity, Single Value-NTU	<	x	x	10 [d]	10 [d]	50 [d]	50 [d]	x	x	y [b]	x	x
Fecal Coliform (MF/100ml) Geometric Mean	<	1000 [a]	1000 [a]	x	x	x	x	200/400 [b] See Footnote [l]	1000/2000 [d]	2000 [a]	x	1000 [a]
Alkalinity as C_aCO_3 Single Value-mg/l		x	x	Less than 25% change from natural conditions [a,e]				x	x	x	x	30-130 [a]
Suspended Solids Single Value-mg/l	<	x	x	25-80 [a]	25-80 [a]	25-80 [a]	25-80 [a]	x	x	x	x	x
Sulfate Single Value-mg/l	<	x	x	x	x	x	x	x	x	250 [b,c]/500 [c]	x	x

FOOTNOTES AND REFERENCES

<means less than
>means greater than
x means a specific recommendation has not been developed.
y means the cited reference recommended no value be established.

(1) Based on a minimum of five samples taken over a 30-day period, the fecal coliform bacterial level must not exceed a log mean of 200 per 100 ml nor may more than 10 percent of the total samples taken during any 30-day period exceed 400 per 100 ml.

(2) The table is not all-inclusive. As the need arises and data becomes available, appropriate revisions and additions will be made.

a. National Academy of Sciences, Water Quality Criteria (Blue Book) (1972).

b. U.S. Environmental Protection Agency, Pub. No. EPA 440/9-76-023, Quality Criteria for Water (1976). Office of Water and Hazardous Materials, Washington, D.C.

c. Nevada Division of Health, Water Supply Regulation, Part I, Water Quality Standards, Monitoring, Record Keeping and Reporting (1977). State Board of Health, Carson City, Nevada.

d. Report of the Commission on Water Quality Criteria (FWPCA) (Green Book) (1968).

e. American Fisheries Society, Water Quality Section, A Review of the EPA Red Book; Quality Criteria for Water (1979).

f. McKee and Wolf, California State Water Resources Control Board, Water Quality Criteria (1963).

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